

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
DAVID EIDMAN,

Plaintiff, : **AMENDED ORDER**

-against- : 08 Civ. 3392 (LBS)

ERNEST STANLEY O'NEAL, et al., :  
-----x

Defendants. :  
-----x

In re: MERRILL LYNCH & CO., INC. :  
Securities, Derivative & ERISA Litigation :  
-----x

SAND, J.

The Court will defer consideration of the motion to remand until such time as it  
hears and decides defendants' motion to dismiss in the parallel consolidated case.

SO ORDERED.

Dated: New York, New York  
June 19, 2008



U.S.D.J.